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Attorneys for Defendant  
TARGET STORES, a division  
of Target Corporation

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DYLAN LAMM, a minor by and through his  
guardian ad litem MARY CATHERINE  
DOHERTY; and KEVIN LAMM,

Plaintiffs,

vs.

BUMBO, BUMBO LIMITED, BUMBO (PTY)  
LTD.; TARGET CORPORATION; and DOES  
1 to 20,

Defendants.

CASE NO. 07-04807 MHP

**JOINT CASE MANAGEMENT  
CONFERENCE STATEMENT**

**DATE:** September 15, 2008

**TIME:** 3:00 p.m.

**DEPT:** Ctrm. 15, 18th Floor

**JUDGE:** Hon. Marilyn Hall Patel

1 (1) Jurisdiction and Service:

2 Bumbo PTY Ltd. has not yet appeared in this action, though they have  
3 agreed to accept service of process.

4 (2) A Brief Description Of The Events Underlying The Action:

5 The case is essentially one of product liability surrounding the safety of the  
6 Bumbo Baby Sitter – a foam seat designed to hold infants before they are strong enough  
7 to sit up on their own.  
8

9 (3) Motions:

10 While the Parties are not in a position to anticipate every possible pre-trial  
11 motion as they are still in a very preliminary stage in the litigation, they anticipate  
12 motions relating to discovery issues, especially as they relate to documents maintained  
13 by the unanswered Bumbo defendants.

14 (4) Amendment of Pleadings:

15 Plaintiffs may amend the complaint to name Bumbo International.

16 (5) Evidence Preservation:

17 Plaintiffs requested that Defendant Target preserve their data regarding  
18 their gift registry, as the Bumbo product in question was purchased at a Target store as  
19 a result of the Plaintiffs' participation in the Target gift registry. This has been done.

20 (6) Disclosures:

21 The Parties have exchanged initial disclosures under Rule 26, Fed. R. Civ.  
22 Pro..

23 (7) Discovery:

24 Defendant Target has propounded interrogatories and request for  
25 production of documents to Plaintiffs regarding the nature and extent of injuries.  
26 Defendant has also subpoenaed medical records from Kaiser for Dylan Lamm and Kevin  
27 Lamm. Plaintiffs are preparing discovery requests to obtain information from Target  
28 concerning the purchase of the Bumbo Sitter in question and Target's relationship with

Bumbo PTY Ltd.

(8) Related Cases:

This case has been related to *Wendy Whitson v. Bumbo, et al.*, a class action lawsuit relating to the purchase of the product. Service issues in this related case are identical to those here (see Number 1 above).

In addition, on October 30, 2007, a nationwide class action was filed regarding the Bumbo Baby Sitter in Orange County Superior Court, captioned Mathison et al. v. Bumbo, et al, and later removed to the Central District Court and assigned to Judge David O. Carter in Santa Ana, and assigned Case Number SACV 08-00369 DOC (ANx).

(9) Relief:

Plaintiffs seek personal injury damages (economic and non-economic) as well as injunctive relief.

Defendant seeks dismissal of the action and its costs of suit.

(10) Settlement and ADR:

Plaintiffs and Target have agreed to mediation and Eric Danoff has been assigned as mediator. Target contends that settlement talks are premature at this time given the absence of various potential defendants.

(11) Consent To Magistrate Judge For All Purposes:

Plaintiff does not so consent.

(12) Other References:

The Parties propose no other references at this time.

(13) Narrowing of Issues:

The Parties are committed to narrowing the issues as much as possible, and will meet and confer regarding same.

(14) Expedited Schedule:

Given the difficulty with service of the Bumbo defendants the parties do not believe expedited scheduling is appropriate.

1 (15) Scheduling:

2 The parties request that scheduling of discovery and pretrial deadlines  
3 should be postponed until service of the Bumbo defendants are completed and  
4 appearance have been made which is expected shortly.

5 (16) Trial:

6 Plaintiffs and Target have requested a jury trial. The Parties estimate a  
7 12-15 day jury trial.

8 (18) Disclosure Of Non-Party Interested Entities Or Persons:

9 There are no non-party interested persons known to the Plaintiffs or Target

10 Respectfully submitted,

11 DATED: September 8, 2008

EDGAR LAW FIRM

12 By: /s/

13 JEREMY R. FIETZ  
14 Attorneys for Plaintiffs

15 DATED: September 8, 2008

BOORNAZIAN, JENSEN & GARTHE

16 By: /s/

17 GAIL C. TRABISH  
18 Attorneys for Defendant Target  
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**CERTIFICATE OF SERVICE**  
(28 U.S.C. §1746)

I am employed in the County of Alameda, State of California. I am over the age of 18 years and not a party to the within action. My business address is 555 12th Street, Suite 1800, P. O. Box 12925, Oakland, California 94604-2925.

I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. On the date indicated below, at the above-referenced business location, I sealed envelopes, enclosing a copy of the **JOINT CASE MANAGEMENT CONFERENCE STATEMENT**, addressed as shown below, and placed them for collection and mailing following ordinary business practices to be deposited with the United States Postal Service on the date indicated below:

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**Attorneys for Defendant  
Bumbo (PTY) Ltd**

I declare under penalty of perjury that the foregoing is true and correct. Executed at Oakland, California on September 8, 2008.



Alexine Braun

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